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IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT AKRON

IN RE:)	CASE NO. 16-50154
TIMOTHY & CYNTHIA CLARK)	CHAPTER 7
Debtors)	BANKRUPTCY JUDGE:
)	ALAN M. KOSCHIK
)	
)	<u>MOTION FOR TURNOVER</u>
)	<u>MOTION FOR SANCTIONS</u>
)	REQUEST FOR HEARING
)	

Now comes Harold A. Corzin, Chapter 7 Trustee herein, by and through counsel of record, and moves this Court for an order directing the debtors to turn over to the Trustee true and accurate copies of their Chase checking and savings account statements encompassing the date of bankruptcy filing, true and accurate copies of their 2015 federal and state tax returns with all schedules appended and, when filed, true and accurate copies of the debtors' 2016 federal and state tax returns with all schedules appended.

For cause, the Trustee states that, with respect to the bank account statements and 2015 tax returns, the Trustee has been seeking a voluntary turnover of these documents since the date of

the meeting of creditors, March 14, 2016.¹ In addition to the requests made at the 341 meeting, the Trustee made written request for turnover of these documents including requests made on July 19, 2016, September 28, 2016, November 4, 2016 and most recently on December 8, 2016. If the debtors have not prepared and filed their 2015 federal and state tax returns, the Trustee requests that the debtors explain the reason that the return was not filed (e.g. there were no taxable events during the 2015 tax year). A review of the debtors' 2014 federal return revealed W-2 income, IRA distributions, pensions and annuity income as well as Social Security benefits. In any event, the bank statements which have been repeatedly requested have not yet been turned over.

WHEREFORE, the Trustee prays that this Court direct the debtors to turnover the aforesaid documents and that the debtors be sanctioned in such amount as this Court deems appropriate predicated upon what appears to be a willful failure to turnover documents which are required by the Trustee so as to properly administer the estate. The Trustee suggests that the debtors be sanctioned in the amount of \$100.00.

/s/ Christine K. Corzin
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¹The debtors produced and provided the Trustee with a copy of their 2014 federal income tax return on February 4, 2016. The 2015 returns were not produced and have still not been produced.

Attorney for Trustee

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion was served upon:

Attorney for Debtors:
Debra Booher
(electronic mail)

Debtors:
Timothy & Cynthia Clark
4358 Millburn Ave.
Stow, OH 44224
(Regular U. S. Mail)

Office of the United States Trustee
(Electronic mail)

All creditors set forth on this Court's mailing matrix
(Regular U. S. Mail)

the 16th day of December, 2016.

/s/ Christine K. Corzin
CHRISTINE K. CORZIN